

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

CEDRIC PHILLIPS,)	
)	
Petitioner,)	
)	
v.)	Case Number: 7:12-cv-01931-SLB-JHE
)	
WILLIE THOMAS and THE)	
ATTORNEY GENERAL FOR THE)	
STATE OF ALABAMA,)	
)	
Respondents.		

MEMORANDUM OPINION

On June 16, 2014, the magistrate judge entered a Report and Recommendation, (doc. 12), recommending that the petition for writ of habeas corpus be dismissed with prejudice. No objections have been filed. The Court has considered the entire file in this action, together with the report and recommendation, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved.

Accordingly, the Court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of this Court. The petition for writ of habeas corpus is due to be DISMISSED. A separate Order will be entered.

This Court may issue a certificate of appealability “only if the applicant has a made a substantial showing of the denial of a constitutional right.” 28 U.S.C. 2253(c)(2). To make such a showing, a “petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.”

Miller-El v. Cockrell, 537 U.S. 322, 336 (2003) (internal quotations omitted). This Court finds
Petitioner's claims do not satisfy either standard.

DONE this 14th day of July, 2014.

A handwritten signature in black ink, reading "Sharon Lovelace Blackburn". The signature is written in a cursive, flowing style. The first name "Sharon" is written in a larger, more prominent script, followed by "Lovelace" and "Blackburn" in a slightly smaller, more compact script. The signature is positioned above a horizontal line.

SHARON LOVELACE BLACKBURN
UNITED STATES DISTRICT JUDGE